

## Notice of Determination

**To:**

☒ Office of Planning and Research  
U.S. Mail: Street Address  
P.O. Box 3044 1400 Tenth St., Rm 113  
Sacramento, CA 95812-3044 Sacramento, CA 95814

**From:**

Public Agency: Yuba County Water Agency  
Address: 1220 F Street  
Marysville, CA 95901-4740  
Contact: Jacob Vander Meulen  
Phone: (530) 443-7412

☒ County Clerk  
County of: Various (see attached)

Lead Agency (if different from above):  
Same as above

**SUBJECT:** Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resource Code.

**State Clearinghouse Number (if submitted to State Clearinghouse):** 2005062111

**Project Title:** Lower Yuba River Accord 2026 Water Transfer Program

**Project Applicant:** Yuba County Water Agency

**Project Location (include county):** Yuba and other counties (see Figures 1 and 2 attached)

**Project Description:**

The Lower Yuba River Accord (Yuba Accord), implemented by Yuba County Water Agency (Yuba Water) since 2008, is a comprehensive settlement resolving issues regarding instream flow requirements for the lower Yuba River, water transfers, conjunctive use of surface water and groundwater, and fisheries management. The environmental effects of the Yuba Accord were evaluated in an EIR, which was certified in 2007 (State Clearinghouse No. 2005062111). The Yuba Accord's Water Transfer Program includes a maximum transfer of 200,000 acre-feet per year from all sources, including reservoir storage releases and groundwater substitution. The existing Water Transfer Program is operated through: (1) Yuba Water's Water Purchase Agreement with the Department of Water Resources; (2) Yuba Water's Conjunctive Use Agreements with its member units; and (3) the Yuba Water/Contra Costa Water District/East Bay Municipal Utility District Water Transfer Option Agreement. The Water Transfer Program's initial term was to expire on December 31, 2025. Yuba Water is in the process of extending the Water Transfer Program through December 31, 2050 (Extended Water Transfer Program). On April 2, 2024, Yuba Water filed a petition for change with the State Water Resources Control Board (SWRCB) to implement the Extended Water Transfer Program. Additionally, on September 17, 2024, Yuba Water, as lead agency, certified a supplemental EIR (supplement to the 2007 EIR) that evaluated the potential environmental effects of the Extended Water Transfer Program. The SWRCB assigned the petition to the Board's Administrative Hearing Office which is currently pending. While the Extended Water Transfer Program petition is pending, Yuba Water is now proposing a one-year extension of the Water Transfer Program through December 31, 2026 or until the effective date of any final SWRCB order approving the Extended Water Transfer Program (2026 Water Transfer Program). The Agency would conduct the 2026 Water Transfer Program under the same conditions as those studied in the final supplement EIR, except that the program term would be limited to 2026 instead of 2026 through 2050.

This is to advise that the Yuba County Water Agency Board of Directors has approved the above

(☒ Lead Agency or ☐ Responsible Agency)

described project on September 2, 2025 and has made the following determinations regarding the above described project.

1. The proposed 2026 Water Transfer Program (project) will not result in any new or substantially more severe significant environmental impacts beyond those described in the certified 2007 EIR and 2024 supplemental EIR.
2. the proposed project is within the scope of the environmental analysis in the final supplemental EIR certified in September 2024, and the aforementioned conditions requiring further review under CEQA are not present.
3. Mitigation measures from the certified 2007 EIR and 2024 supplemental EIR were made a condition of the approval of the project; no new project-specific mitigation measures are required.
4. The implementation of applicable mitigation measures from the certified 2007 EIR and 2024 supplemental EIR will be monitored and reported pursuant to the existing Yuba Accord Mitigation Monitoring and Reporting Program.
5. A Statement of Overriding Considerations was not required or adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

<https://www.yubawater.org/157/Lower-Yuba-River-Accord> or 1220 F Street, Marysville, CA 95901-4740

Signature (Public Agency): Jacob Vander Meulen Title: Environmental Manager

Date: 09-09-2025 Date Received for filing at OPR: \_\_\_\_\_

Certificate of Posting

I hereby certify that from SEP 15 2025 to OCT 16 2025 (30 days), I posted a Copy of this Notice of Determination in the Office of Plumas County Clerly.

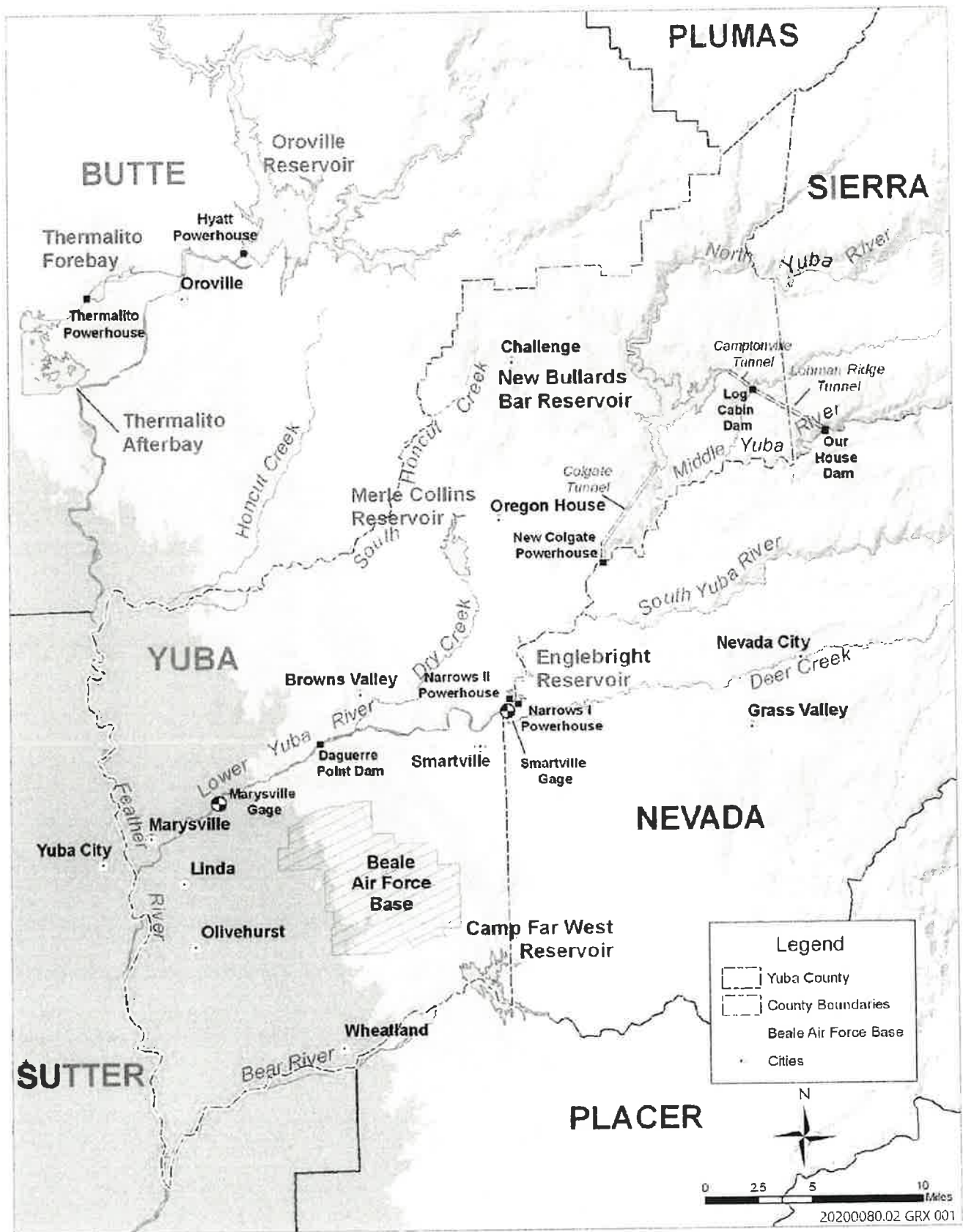
By *Dana Ortiz*  
County Clerk or Deputy

Date: SEP 15 2025

Receipt # 32 09152025-027

Document # 2025-027





Source: Provided by Yuba Water in 2022; adapted by Ascent Environmental in 2022.

**Figure 1** Lower Yuba River Basin



## County List

### Notice of Determination: Lower Yuba River Accord 2026 Water Transfer Program

#### Project Applicant: Yuba County Water Agency

County Clerk - Alameda County  
County Clerk - Butte County  
County Clerk - Colusa County  
County Clerk - Contra Costa County  
County Clerk - Fresno County  
County Clerk - Glenn County  
County Clerk - Imperial County  
County Clerk - Kern County  
County Clerk - Kings County  
County Clerk - Lassen County  
County Clerk - Los Angeles County  
County Clerk - Madera County  
County Clerk - Marin County  
County Clerk - Mariposa County  
County Clerk - Merced County  
County Clerk - Monterey County  
County Clerk - Nevada County  
County Clerk - Placer County

County Clerk - Plumas County  
County Clerk - Sacramento County  
County Clerk - San Benito County  
County Clerk - San Bernardino County  
County Clerk - San Francisco County  
County Clerk - San Joaquin County  
County Clerk - San Luis Obispo County  
County Clerk - San Mateo County  
County Clerk - Santa Barbara County  
County Clerk - Santa Clara County  
County Clerk - Santa Cruz County  
County Clerk - Sierra County  
County Clerk - Solano County  
County Clerk - Stanislaus County  
County Clerk - Sutter County  
County Clerk - Tehama County  
County Clerk - Tulare County  
County Clerk - Ventura County  
County Clerk - Yuba County